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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/280,699

03/30/1999

TAKAHIRO MATSUMURA

990377

6201

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7590

02/11/2003

ARMSTRONG, WESTERMAN & HATTORI, LLP
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EXAMINER

CRAVER, CHARLES R

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 02/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/280,699

Applicant(s)

Matsumura

Examiner

Charles Craver

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 31, 2002
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 7, 10, and 16-21 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 7, 10, and 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

DETAILED ACTION

Request for Continued Examination

1. The request filed on 12-31-02 for a Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/280,699 is acceptable and an RCE has been established. An action on the RCE follows.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 7, 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Braitberg et al, of record.

Claims 1, 4, 7 and 10. Braitberg discloses a telephone set identifying method and apparatus for utilizing a first section (208) for identifying a type of portable telephone set to which a data processing apparatus is coupled via a port (45, 204), comprising the steps of identifying the type of device attached (col 2 line 40-col 3 line 30), in response to a received signal from the first section (col 9 lines 28-48) received at a data interface part of the mobile device. Braitberg further discloses that the type phone varies based on the type of communication

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employed by the device (col 4 lines 39-61), but does not expressly mention identification of said communication type. However, Braitberg discloses that the first part may couple RF data received by the phone to peripheral devices attached to the first part (col 12 lines 39-46), wherein the first part may “format the data” received, in response to identification of the type of terminal attached and analysis of the RF signal (col 12 lines 55-64, col 13 lines 5-7). Therefore, it would have been obvious to one of ordinary skill in the art to modify Braitberg, to identify the type of RF data (i.e. the communication type) of the phone, in order to properly format the data at the microprocessor for use with the peripheral device by adding means for identifying the type of the portable telephone communication. Such would allow proper connection with the peripheral device.

Claims 16-19. Braitberg discloses that the type of device includes the connection utilized by the device (col 4 lines 62-67).

Claim 21. Braitberg discloses a second portion which notifies the device type to the data processing apparatus (col 10 lines 31-67).

Response to Arguments

3. Applicant's arguments filed 2-25-02 have been considered but are moot in view of the new grounds of rejection.

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Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Craver whose telephone number is 703-305-3965. The examiner can normally be reached on Monday thru Friday: 9-18:30, off 1st Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Urban can be reached on 703-305-4385. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-6306 for regular communications and 703-308-6296 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Charles Craver

cc

February 7, 2003


CHARLES CRAVER
PATENT EXAMINER